

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugihara (US 5,522,141) in view of Peterson (US 2002/0026714) and Fogle (6,944,956).

Sugihara discloses a cutting head (4) a bobbin (31), with two sections-each for a cutting filament- as seen in figure 23. Sugihara discloses eyelets (10) which provide an opening for the filaments, the eyelet clearly provides access to both the sections of the bobbin- being large enough to accept a filament from the upper section (left of figure 23) and the other from the lower (right of figure 23). Clearly either eyelet could accept filament from either section. Sugihara discloses a groove, etc. (one limit of the circular eyelet is a groove).

a. Sugihara lacks a teaching of automatic winding (loading) through the eyelet.

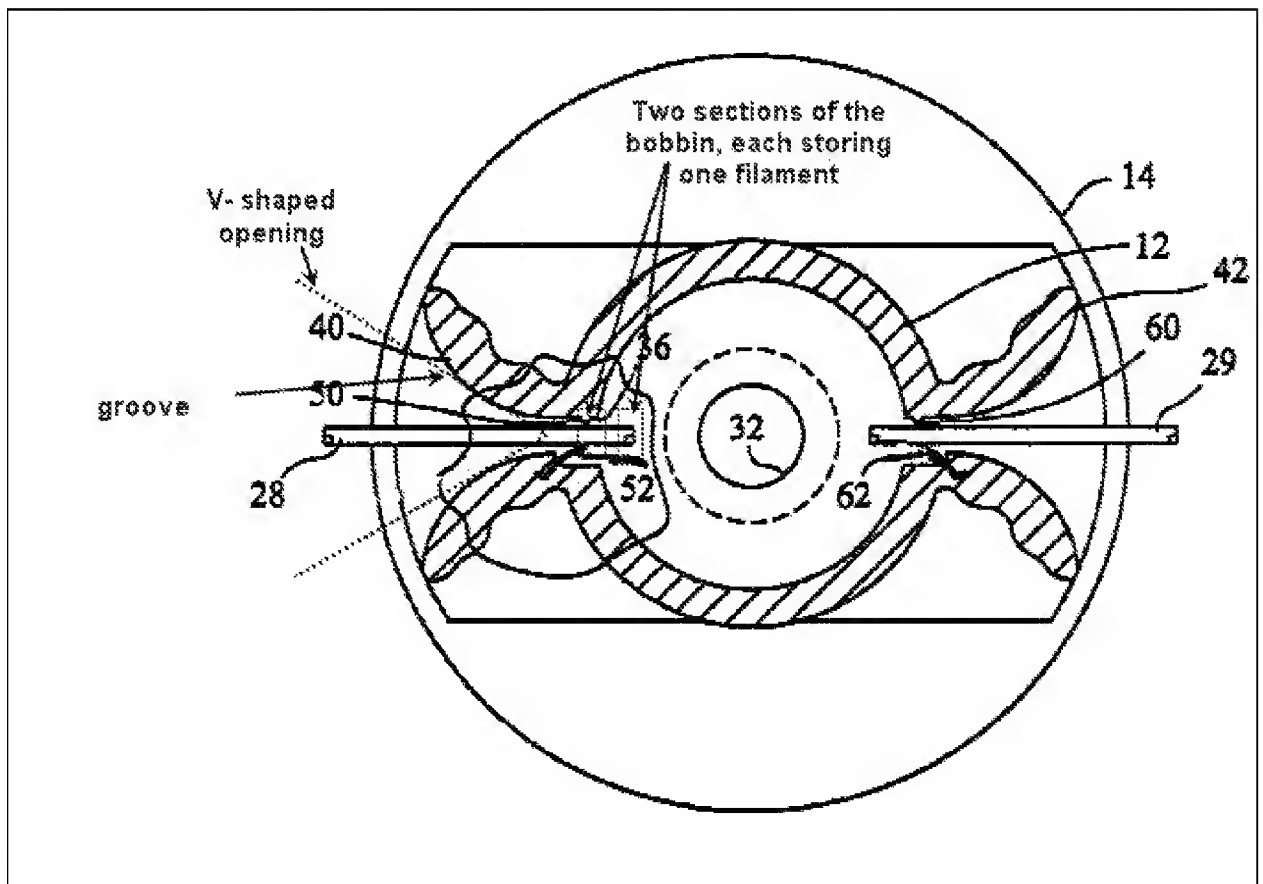
Peterson teaches a cutting head/bobbin (10/12) which is wound automatically, and extends automatically. It is wound through an eyelet (see figure 5) and automatically winds the filament with no need to disassemble the cutting head. See Page 5, column 1, paragraph [0086].

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It would have been obvious to one of ordinary skill in the art at the time of the invention to have the filament automatically wound by insertion into the eyelet and automatic/manual rotation of the bobbin relative to the head as taught by Peterson, since doing so is easier than disassembly, as described by Peterson. Examiner additionally takes official notice that other self wind devices bobbins are known for the purpose of simplicity of use, and they could be used just as easily to demonstrate self winding bobbins and the use of a Sugihara-like bobbin as a self wound bobbin.

b. Sugihara lacks a teaching of "V-shaped" opening.

Fogle teaches a V-shaped opening, including a groove, as seen in the figure below:



It would have been obvious to one of ordinary skill in the art to substitute a V-shaped opening for the eyelet of Sugihara, since doing so would increase the radius of curvature on the string, and prevent it from kinking due to over-stress, or prevent it from snapping before line could be fed out. It is common sense that a V-shaped opening as seen in Fogle will reduce stress on the portion of filament being pushed by the opening.

Claims 2, 3, 5 and 6 are clearly obvious on the face of the above rejection.

Regarding claim 4, in the above combination- Sugihara was switched from a bump-feed type trimmer to an automatic feed trimmer with an automatic winding bobbin. It is not explicit where the end of the filament would be retained- but the central cylindrical section is a likely place, and could have been selected by any person of ordinary skill in the art. Sugihara discloses that's the location of mounting, and so do numerous other references, which examiner takes official notice of as showing that it is a common location for filament to be mounted for the purpose of not blocking the wound filament as it is unwound.

Response to Arguments

2. Applicant's arguments filed 1/28/2010 have been fully considered but they are not persuasive.

Applicant's amended claim 1 recites "wound, feedable" which presently overcomes Fogle as an anticipatory reference.

Applicant alleges that the obviousness rejection is not proper since "none of the references disclose an eyelet that has a particular shape to force the trimmer line into a particular portion of the eyelet", which is not persuasive. The unique shape of each will

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force the line into a particular location. Second, this is not a requirement of the claim. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "an eyelet that has a particular shape to force the trimmer line into a particular portion of the eyelet") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The claim recites that "the cutting filament is placed in the groove by the forces generated by the rotation..." which is clearly met by inspection of Fogle.

Applicant attempts to distinguish the "rectangular cross section" of Sugihara from the "vee shape" (sic) of the present application. This is not persuasive since the distinction can not be found in the claims. Applicant alleges that the references do not disclose "an eyelet that has a particular shape to force the trimmer line into a particular portion of the eyelet when the head is rotating. Looking to Fogle, we see this is false, since the trim line will be forced by rotation to settle at one end of the v-shaped eyelet as described clearly by examiner.

It is of special note that the V-shape of the application may be defined over the v-shaped opening of Fogle by narrowing amendment which describes the V shape of the present application with more particularity and orientation limitations. Applicant is invited to call and discuss such narrowing amendments in response.

Conclusion

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3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEAN M. MICHALSKI whose telephone number is (571)272-6752. The examiner can normally be reached on M-Th 6:30AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Sean M Michalski/
Examiner, Art Unit 3724

/Kenneth Peterson/
Primary Examiner, Art Unit 3724